

United States District Court  
District of Hawaii

OCT 03 2003

at 3 o'clock and 10 min  
WALTER A. Y. H. CHINN, CLERK

UNITED STATES OF AMERICA  
v.  
CLARENCE M. BUTLER, JR.,  
(Defendant's Name)

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)  
(For Offenses committed on or after November 1, 1987)

Criminal Number: 1:02CR00280-001

Shanlyn A. S. Park, AFPD  
Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilty to violation of condition(s) Special Condition No. 2, General Condition, Standard Condition No. 11, Standard Condition No. 3 of the term of supervision.  
☐ was found in violation of condition(s) \_\_\_\_\_ after denial or guilt.

Violation Number

See next page.

Nature of Violation

Date Violation Occurred

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 575-06-7344

Defendant's Date of Birth: 11/04/1978

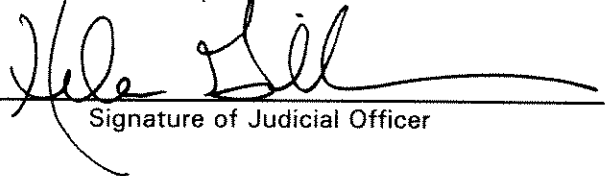
Defendant's USM No.: 87691-022

Defendant's Residence Address:  
145 A Hauola Avenue  
Wahiawa, Hawaii 96786

Defendant's Mailing Address:  
145 A Hauola Avenue  
Wahiawa, Hawaii 96786

September 29, 2003

Date of Imposition of Sentence

  
Signature of Judicial Officer

HELEN GILLMOR, United States District Judge  
Name & Title of Judicial Officer

10-3-03

Date

AO 245 D (Rev. 3/95) Judgment in a Criminal Case for Revocation Sheet I

CASE NUMBER: 1:02CR00280-001

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DEFENDANT: CLARENCE M. BUTLER, JR.,

**ADDITIONAL VIOLATION**

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1	Mr. Butler was discharged from Habilitat, a long-term residential program, as a program failure	08/13/2002
2	Urine specimens collected tested positive for methamphetamine	05/14/2003 06/05/2003 08/11/2003
3	Refused to comply with drug testing at Hina Mauka	06/09/2003 06/13/2003 06/15/2003 06/23/2003 06/26/2003 06/29/2003 07/08/2003 07/28/2003 08/05/2003 08/13/2003 08/18/2003 08/26/2003
4	Failed to enroll in the Sand Island Treatment Center, a long-term residential program, as instructed by the Probation Officer	06/05/2003 08/11/2003
5	Failed to notify the Probation Office within 72 hours of being arrested by the Honolulu Police Department for the offense of Theft in the Third Degree	08/12/2003
6	Failed to report to the Probation Office as instructed on 08/21/2003	

AO 245B (Rev. 8/96) Sheet 2 - Imprisonment

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 DEFENDANT: CLARENCE M. BUTLER, JR.,

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## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 24 MONTHS.

This is a term of TWENTY FOUR (24) MONTHS as to each of Counts 1, 2, and 3 to run concurrently to each other and to CR 00-00408HG-01.

- ☒ The court makes the following recommendations to the Bureau of Prisons:  
 That the defendant serve his sentence of imprisonment in an institution other than FDC-Honolulu. Further, that the defendant participate in drug treatment, educational and vocational training programs.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.  
☐ at \_\_\_ on \_\_\_\_.  
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
☐ before \_ on \_\_\_\_.  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Officer.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
 UNITED STATES MARSHAL

By \_\_\_\_\_  
 Deputy U.S. Marshal

AO 245 S (Rev. 3/95) Sheet 5, Part B - Criminal Monetary Penalties

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 DEFENDANT: CLARENCE M. BUTLER, JR.,

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## CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$	\$	\$ 15,984.92

☐ If applicable, restitution amount ordered pursuant to plea agreement ..... \$ \_\_\_\_\_

## FINE

The above fine includes costs of incarceration and/or supervision in the amount of \$ \_\_\_\_.

The defendant shall pay interest on any fine of more than \$2500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

## RESTITUTION

☐ The determination of restitution is deferred in a case brought under Chapters 109A, 100, 110A and 113A of Title 18 for offenses committed on or after 09/13/1994, until up to 60 days. An amended Judgment in a Criminal Case will be entered after such determination.

☒ The court modifies or waives interest on restitution as follows:

Interest, if applicable, is waived while the defendant is serving his term of imprisonment and shall commence to accrue on any remaining balance upon his release.

☒ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order of percentage payment column below.

AO 245 S (Rev. 3/95) Sheet 5, Part B - Criminal Monetary Penalties

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<u>Name of Payee</u>	<u>**Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or % of Pymnt</u>
Ronald Paramore		\$1,600.00	
Geico Direct Insurance Company		\$1,301.36	
John Mullen and Company, Inc.		\$13,083.56	
	<u>TOTALS:</u>	<u>\$ 15,984.92</u>	<u>\$ _</u>

## SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☒ in full immediately; or
- B ☐ \$ \_ immediately, balance due (in accordance with C, D, or E); or
- C ☐ not later than \_ ; or
- D ☐ in installments to commence \_ day(s) after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation officer shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or
- E ☐ in \_ (e.g. equal, weekly, monthly, quarterly) installments of \$ \_ over a period of \_ year(s) to commence \_ day(s) after the date of this judgment.

Special instructions regarding the payment of criminal monetary penalties:

That the balance of the \$15,984.92 is due immediately to Ronald Paramore in the amount of \$1,600; Geico Direct Insurance Company in the amount of \$1,301.36; and John Mullen and Company, Inc., in the amount of \$13,083.56. Any remaining balance upon release from confinement shall be paid on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of his monthly gross income.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary payments are to be made as directed by the court, the probation officer, or the United States Attorney.